

RECEIVED
CENTRAL FAX CENTER

IBM.5246

MAR 03 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kistler § Group Art Unit: 2141
Serial No.: 09/931290 § Examiner: Bayard
Filed: 08/16/2001 § Attorney Docket: AUS9 2001 0311 US1
For: Power Conservation §
in a Server Cluster §
§ I, the undersigned Joseph P. Lally, hereby certify that this correspondence is
§ being facsimile transmitted to the USPTO or deposited with the US Postal
§ Service with sufficient postage as first class mail in an envelope addressed to:
§ MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450,
§ Alexandria, VA 22313-1450.
§
§ March 3, 2005
§ Date
§
§
§ Signature

RESPONSE TO OFFICE ACTION DATED DECEMBER 3, 2004

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the office action dated December 3, 2004 (the "Office Action"), please amend the above-identified application as follows:

Amendments to the Specification are listed on page 2.

A Listing of Claims begins on page 3 of this paper.

Amendments to the Drawings are described on page 6 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

Remarks/Arguments begin on page 7 of this paper.

An **Appendix** including amended drawings figures is attached following page 13 of this paper.

BEST AVAILABLE COPY

PT/USM (09-04)

Approved for use through 07/31/2008. CA 051-0031

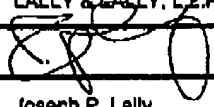
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/031290	RECEIVED CENTRAL FAX CENTER MAR 03 2005
	Filing Date	08/18/2001	
	First Named Inventor	Kistler	
	Art Unit	2141	
	Examiner Name	Bayard	
Total Number of Pages in This Submission	18	Attorney Docket Number	AUS9 2001 0311 US1

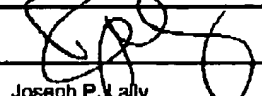
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) 2 Annotated Sheets 2 Replacement Sheets <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LALLY & LALLY, LLP.		
Signature			
Printed name	Joseph P. Lally		
Date	March 3, 2005	Reg. No.	38,947

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Joseph P. Lally	Date	March 3, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8199 and select option 2.

BEST AVAILABLE COPY